

House Bill 869 (AS PASSED HOUSE AND SENATE)

By: Representatives Mitchell of the 88<sup>th</sup>, Oliver of the 83<sup>rd</sup>, Watson of the 91<sup>st</sup>, Jacobs of the 80<sup>th</sup>, Chambers of the 81<sup>st</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

To amend an Act to abolish the offices of tax-receiver and tax-collector of DeKalb County, Georgia, to create the office of County Tax-Commissioner of DeKalb County, Georgia, and for other purposes, approved August 18, 1927 (Ga. L. 1927, p. 558), as amended, so as to change certain provisions relating to the filling of vacancies for the office of tax commissioner; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

An Act to abolish the offices of tax-receiver and tax-collector of DeKalb County, Georgia, to create the office of County Tax-Commissioner of DeKalb County, Georgia, and for other purposes, approved August 18, 1927 (Ga. L. 1927, p. 558), as amended, is amended by revising Section 5 as follows:

"SECTION 5.

Be it further enacted by the authority aforesaid, that the term of office of said Tax-Commissioner shall be four years, and the first election of County Tax-Commissioner of DeKalb County shall be held at the same time and under the same laws as other county officers are now elected at the general election for county officers in the year 1928, and quadrennially thereafter, and the person elected shall enter upon the duties of the office hereby created on January 1, 1929. If a vacancy should occur then the office shall be filled by special election to be held not less than 45 days nor more than 120 days after the vacancy occurs. The person elected shall serve the remainder of the unexpired term; provided, however, that if it is not more than six months between the time such election can be held and the expiration of the existing term, the interim tax-commissioner shall discharge the duties of the office for the balance of the term, and there shall be no special election. The office shall be filled by a majority vote of the qualified voters residing in DeKalb County. If the vacancy occurs within 150 days of a scheduled general election,

1 then the vacancy may be filled by general election. Until an election is held, the office  
2 shall be filled in the same manner as vacancies are now filled in the office of tax-collector,  
3 and the next highest ranking employee to the former tax-commissioner shall serve as the  
4 interim tax-commissioner. Any interim tax-commissioner who qualifies to run for the  
5 office of tax-commissioner shall not be designated as the incumbent on the election ballot  
6 used to fill such vacancy."

7 **SECTION 2.**

8 This Act shall become effective upon its approval by the Governor or upon its becoming law  
9 without such approval.

10 **SECTION 3.**

11 All laws and parts of laws in conflict with this Act are repealed.